

REMARKS

The Office Action alleges that the specification contains sequence disclosures such that pursuant to 37 C.F.R. Section 1.821-1.825 requires a sequence listing.

Applicants respectfully point out that the rules require sequences of four or more amino acids, but that this does not make sense in the context of the present case. In the instant case, various substrates of the 20S proteasome are mentioned and such substrates consist of two, three or four amino acids, of which the first one and the last one are modified. Those substrates were known in the art and it would be absurd to submit a sequence listing which mentions, for example, the amino acid sequence "Leu-Leu-Arg".

A sequence listing in this form would be completely useless because the disclosure of known substrates of the 20s proteasome is not material the assessment of patentability of the present invention. Preparing such a sequence listing would represent an undue burden, and a significant waste of time and money.

Applicants respectfully assert that it is not simply their own opinion in this matter. In the corresponding European case, EP 1 382 691, the European Patent Office which operates under these same sequence listing rules allowed this patent to be granted without requiring such a sequence listing.

Applicants respectfully urge the Examiner to realize that this is exalting form over substance in this case and particularly in light of the European Patent Office's similar position on the matter, to move this case forward for examination without the requirement for such a sequence listing. In the past the undersigned has come against this same situation in similar cases and found that the U.S. Patent Office was reasonable when asked to reconsider such a

requirement and withdrew the requirement for a sequence listing, and the undersigned trusts it will do so again in this case.

Respectfully submitted,

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